



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

July 11, 2012

VIA E-MAIL

Ms. Tinka Hyde, Director
Water Division
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (W-15J)
Chicago, Illinois 60604-3507

Dear Ms. Hyde:

The Marquette County Road Commission's (MCRC) proposal to construct County Road 595, Public Notice Number 11-52-0072, is a very complex and complicated project, and has importance to the economic well-being of the central Upper Peninsula. The objection to the issuance of a permit for this project expressed in your April 23, 2012, letter to Ms. Colleen O'Keefe, Water Resources Division, Michigan Department of Environmental Quality (MDEQ), will prevent this road from being built. In order to ensure that you have all of the facts necessary to make an informed decision on this application, we are requesting that the United States Environmental Protection Agency (USEPA) conduct a public hearing on their objection to this project.

Your April 23, 2012, letter gave the state of Michigan the option of requesting a public hearing on the objection to the issuance of a permit for this application. Given the widespread support for this project and the MCRC's June 29, 2012, update to their application, a public hearing is warranted at this time. The hearing will allow the USEPA to hear firsthand about the benefits of this project and give them additional time to review the MCRC's response to the April 23, 2012, objection letter. This letter serves as our formal request for a public hearing on this objection pursuant to the federal Clean Water Act, Section 404(j)(B), and Section 5(d)-(e) of the Section 404 Memorandum of Agreement.

We urge the USEPA to hold the public hearing and make a follow-up decision as quickly as practicable, but no later than October 1, 2012. A USEPA decision later than October 1, 2012, would effectively not allow the project to proceed, as the MCRC loses funding for this important road after this date.

Due to the tight time constraints, we are offering to assist in the logistics of holding the public hearing. My staff is available in this capacity and will assist with any logistics needed, including securing a venue, setting up and assisting with the public hearing, and providing notice opportunities. Mr. Steve Casey, Supervisor, Upper Peninsula District Office, Water Resources Division, is our point person for this.

Ms. Tinka Hyde
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If you need further information or assistance, please contact Mr. Casey at 906-346-8535, or you may contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "William Creal".

William Creal, Chief
Water Resources Division
517-242-2766

cc: Mr. James Iwanicki, MCRC
Mr. Mike Masterson, MDEQ
Mr. Steve Casey, MDEQ
Ms. Colleen O'Keefe, MDEQ